



MEMO ENDORSED

The Application is granted.

SO ORDERED:

Paul G. Gardephe  
Paul G. Gardephe, U.S.D.J.

March 10, 2020

*The conference is adjourned to April 23, 2020 at 10:30.*

**New York**

885 Third Avenue, 20<sup>th</sup> Floor  
New York, NY 10022  
Tel: 212.209.3050  
Fax: 212.371.5500

**Princeton**

4 Independence Way  
Princeton, NJ 08540  
Tel: 609.514.1500  
Fax: 609.514.1501

March 9, 2020

**VIA ECF**

Honorable Paul G. Gardephe  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, New York 10007

**www.reitlerlaw.com**

Re: **Bridgeport Music, Inc., et al. v. Tufamerica, Inc., et al.; 19-cv-01764-PGG**

Dear Judge Gardephe:

We are the attorneys for defendant and counterclaimant TufAmerica, Inc. d/b/a Tuff City Records and defendant Kay Lovelace Taylor, individually and on behalf of the Estate of LeBaron Taylor, in the above-referenced action. We submit this letter jointly with all counsel of record in advance of the upcoming March 12, 2020 status conference to respectfully request a brief and limited extension of the current March 12, 2020 deadline for the close of fact discovery and, consequently, the deadlines for filing post-discovery dispositive motion letters to the Court.

While the parties have been and continue to diligently undertake discovery in this action, the parties require additional time to complete party depositions and third-party discovery. The parties anticipate completing their respective document productions by March 12, 2020, and have scheduled the depositions of the four parties to be taken over four days in three different states – Arizona, Michigan, and New York – by mid-April. The Defendants have also located physical evidence that cannot be copied but is being made available to Plaintiffs' counsel to inspect in New York during the first week of April.

Defendants' local counsel in Tallahassee, Florida is in the process of serving a subpoena for documents from and the deposition of an essential non-party witness to the instant dispute: George Clinton, who is notoriously difficult to serve with process. Defendants also intend to serve document subpoenas upon BMI and ASCAP, and will do so in the next couple of weeks.

Given the foregoing, the parties jointly and respectfully request a 30-day extension of the current deadline to complete party depositions, i.e., until April 11, 2020, and a 60-day enlargement of the time to complete fact discovery. This is the first request for an extension of these deadlines.

Hon. Paul G. Gardephe

March 9, 2020

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With respect to the upcoming status conference on March 12th, in light of the recent coronavirus outbreak, and in an abundance of caution, I will be working from home for 2 weeks following my return to the U.S. today from my travels in Asia. I will therefore not be able to attend the status conference currently set for March 12, and respectfully request that the Court adjourn the conference to a date in mid-April after the parties' scheduled depositions have been completed. Counsel for Plaintiffs consents to this request.

Thank you for your consideration of this request.

Respectfully Submitted,

*s/ Brian D. Caplan*

Brian D. Caplan

cc: All counsel of record (via ECF)